

Fee paid

71

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN, SOUTHERN DIVISION**

**JOHN DOE/S  
Plaintiff/s**

**No.**

Case: 1:23-cv-11655  
Assigned To : Ludington, Thomas L.  
Referral Judge: Morris, Patricia T.  
Assign. Date : 7/12/2023  
Description: CMP DOE V. NESSEL (MC)

**v**

**Honorable \_\_\_\_\_**

**Executive & Judicial Branches  
Dana Nessel, AG official capacity, Oakland County,  
Anica Letica, One Court of Justice involved judges,  
Mike Cox, Kelly Carter, Edward Sosnick, James Alexander  
Municipalities, Counties and others see attached/**

John Doe/s %  
Tim Brown  
4310 Tall Timber trail  
Prescott, Michigan [48756]  
586.205.0377  
speakagainstthecharges@gmail.com

**v**

Dana Nessel, official capacity Attorney General  
PO Box 30212  
Lansing, MI 48909  
517.335.7644  
Oakland County Courthouse  
1200 N. Telegraph Rd  
Pontiac, MI 48341-0404  
248.858.0581

**COMPLAINT FOR A CIVIL CASE**

**Jury Trial : NO**

**THE Judicial & Executive Branch's 25 YEAR CRIME SPREE MUST END**

***Heck v Humphrey* 512 U.S. 477 is inapplicable**

**Filed under 42 U.S.C. § 1983, 1981, 1985  
Article III, US Const authorizes this court's power to adjudicate  
CLASS ACTION IF JUDGE SO DECIDES Rule 23 FRCivP**

1. By reason of the unlawful policy of editing laws, which was created, adopted, and enforced under the color of state law and authority, Defendants have deprived Plaintiff of the equal protection of the law guaranteed under the Fourteenth Amendment to the United States Constitution as well as the other Amendments listed in the Brief in Support. (What other laws have they severely edited for unjust prosecution profits ?)
2. As a direct and proximate result of Defendants' violation of numerous Amendments, Court Rules and laws Plaintiff has suffered irreparable harm, including the loss of his constitutional rights and public reputation, entitling Plaintiff to damages, declaratory and injunctive relief. See *Athenaco v. Cox* 335 FSupp 2d 773@780

**PRAYER FOR RELIEF:**

Wherefore pro se Petitioner/s asks this Court:

- A) to declare that Defendants' policies violate the various Amendments, Court rules, laws listed (and others) as set forth in this Complaint;
- B) to permanently enjoin the challenged policy of editing laws and its application to Plaintiff and others similarly situated or declare the policy already unlawful,
- C) Order the defendants to address the merits/claims in compliance with Federal Rules of Civil Procedure Rule 8 ;
- D) Determine exemplary damages based on the despicable actions of the involved persons in the Judicial and Executive branches ;
- E) Order a comprehensive investigation into the corruption that has infiltrated the Judicial and Executive branches and prosecute justly ;

- F) Prosecute the offenders that violated the Federal Court Order that permanently enjoined 1999 Public Act 33 and declare (again) all such prosecutions and convictions unlawful and order the convictions immediately vacated ;
- G) Order plaintiff's information to be immediately removed from the sex offender registry and record cleared by this Court or State Court and Executive branch ;
- J) Order immediate Injunctive relief ; ( and declare a Class Action ? )
- K) Monetary awards including the exemplary of at least 600 million USD for the abundance of various damages suffered and outrageous conduct by Defendants ;
- L) to award Plaintiff reasonable attorney fees, costs, and expenses pursuant to 42 U.S.C. § 1988, and other applicable law ;
- M) to grant such other and further relief as this Court should find just and proper.

Respectfully submitted,

By: /s/ Timothy R. Brown , in pro se

Dated July 4th, 2023

John Doe/s %

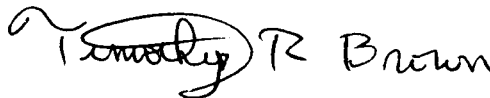
Tim Brown

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Prescott, Michigan [48756]

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speakegainstthecharges@gmail.com

A handwritten signature in black ink that reads "Timothy R. Brown". The signature is written in a cursive style with a large, stylized "T" and "B".

### **STATEMENT OF FACTS**

Plaintiff, and 100's or 1000's of others over 25 years were arrested in this unauthorized sting scam in various counties : No victim/s, No Commercial activity/gain, No required knowledge of the non-existent victim's status as a child or minor - ALL DELETED from the " Felony " Information/s :

1. Count I charges 22 of 152 words from mcl 750.145c2 . It fails to notice the required child under age 18 , knowledge of their status , preparation for commercial activity and commercial gain procured.

2. Count II charges 5 penalty words from mcl 750.145d2f along with 20 words from mcl 750.145d1a which has no penalty and is a list of required underlying crimes to prohibited computer / internet usage . It lacks the required underlying crime.

3. Counts III & IV are identical as 6 words of a partial title are noticed/ charged from mcl 722.675 and the same 20 words from d1a as count II. Zero wording from this statute is charged or noticed . No required commercial gain charged or committed.

mcl 750.145d2c notices 5 penalty words with no underlying crime charged.

Only 37 of 877 statutory words were charged in 4 counts . 20 of those words / numbers are the penalties.

4. In Counts III & IV , the full wording would equal 1999 Public Act 33 - a commercial activity statute - which the Federal courts permanently enjoined. d1a lists 1978 Public Act 33, mcl 722.675 - no viable Internet even existed then  
See the true laws and jury instructions below

O = official capacity  
I = individual capacity  
O + I = Both

**PLAINTIFFS- conspire to refuse to obey the laws, court rules / jury instructions after SEVERELY EDITING existing laws to condemn the guiltless FOR PROFITS.**

***This is a conspiracy of denying entitled relief to cover up their crimes.***

O + I - AG Dana Nessel, Governor Gretchen Whitmer, Jennifer Granholm  
O + I - Assistant AGs Kelly Carter, P 56129 - Anica Letica P 38255 (MCOA now) - O + I  
O + I - Joel D. McGormley P 60211, Richard Cunningham- head of Criminal Appellate division - I  
( very hate filled ) , Former AG Mike Cox P 43039 - O + I  
Oakland County, Lenawee County, Ingham County ,Saginaw County, all O  
Cities: Pontiac, Novi , Adrian : **PERSONS in the conspiracy** - all O O + I  
Oakland County Circuit Court Trial Judges / Staff :Edward Sosnick P 20796 also added  
Sex Offender Registration at last second of resentencing in violation of plea,  
James M. Alexander next spiteful Trial court judge - I  
Derek Howard and Audrey Polanco Staff attorneys - **return w/o filing 7/1/20** - I, I  
Victoria Valentine **3rd conspiring Trial Court judge-zero justice possible** - O + I  
Anne Nemer , Staff attorney - **denies filings** - I , if at all  
Joseph Sova , Judicial Clerk - **refused to file Motion for Relief** - I if at all

Lenawee County / Circuit Court # 10-3915- AH, Nov 17, 2010 , Judge Timothy P.  
Pickard : **DENIED any relief** - O + I

MDOC Probation Agent in Oakland County office:- **unlawful documentations**  
Heather Wayne-investigating agent, Supervisor Ronald G. Brock - O + I both, if at all

William P. Hackett P 65962 **Conspiring 'defense' attorneys-15k wasted** - I  
Scott Grabel P 53310 (2007) - I

MCOA # 297479 : **Not worthy of our attention: ' lack of merit' 6/28/10**  
Cynthia Diane Stephens , Presiding Judge ] O + I  
Brian K. Zahra & Kirsten Frank Kelly - Judges

MSC# 139694 DENIED , Questions presented **not worthy** O + I  
Same batch of judges from below, Nov 23, 2009 ← ↓

MSC #141362 : **not worthy of review** , Sept 9, 2010  
Alton Thomas Davis added to list of judges on reconsideration filing :  
Marilyn Kelly , Michael F. Cavanaugh , Maura D. Corrigan , Robert P. Young Jr.  
Stephen J. Markman , Diane M. Hathaway , ALL are listed on the denial

MCOA # 283433 May 29 2008 - motion to reconsider: DENIED 'lacks merit'  
Presiding Judge , signed: Peter D. O'Connell and Stephen L Borrello - Judges  
Eric Restuccia , Solicitor General , David G. Gorcyca Oakland County Prosecuting  
Attorney , Joel D. McGormley P 60211- **all unlawfully opposed appeals**

O + I

Saginaw County , Judge Janet M. Boes P 37714 : **Deny / Dismiss**  
Case # 11-011405-AH , Mar 7, 2011 Habeas Corpus during parole

- O + I

Saginaw County forcibly ( fraud-based court order) stole palmprints

- O

Lloyd W. Rapelje, Warden Saginaw 'Correctional' Facility **-fought habeas corpus**

O + I

Thomas Bell, Warden Adrian facility - Parr Hwy Correctional or Adrian Temporary facility  
( they kept changing names to do a shell game about prisons closing )-**fought appeals**

O + I

**Pardon denied:** MDOC parole board 12/ 2017, **denied filing** Feb 20, 2019

Governor Whitmer - O + I

O - MDOC forcibly via threats/duress/coercion took dna, thumbprints , BLOOD before  
release - their policy was to conspire in the multitude of offenses by Defendants  
The MDOC also **tampered with mail delivery** to US Marshall Wally Neetz as he never  
got the correspondence detailing the offenses by the Defendants. MDOC Charles

- O + I  
Brown, "parole"  
Bd

**1st Degree Home Invasion:** Robert Peplinski - head of Computer Task Force  
A number of Assistant AGs invaded after serving a **fraud-based Search Warrant** on  
my **traumatized minor son**. Ass't AG Ondrejo or some such spelling with his group.  
Peplinski also stole dna and thumbprint and was so hyped could not read my rights

O + I

Assistant Ag, a rotund African America who put on cuffs too tight and drug me thru  
snow in shower sandals to see another defendant ( if alive );

- I

Magistrate Judith Holtz , Oakland County court , 2007 - **conspirator to the fraud**

- O + I

**Arrest Scene**, Emagine Theater , NOVI : A group of heckling , mocking assistant AGs  
led by Peplinski . Maybe 8 or 10 of these offender frauds were present. Many AG  
assistants were involved since 2007. Jessica? LePine, \_\_\_McClintock, → I, I

O + I

For the sake of not wasting time many of these may not be served if they can't  
be located. If a COMPETENT attorney takes this lawsuit he can determine better.

as a class Action

**The majority of victims during this decades long conspiracy appear to be male  
caucasians as per media blitzes / mugshots online .**

MIED ProSe 1 (Rev 5/16) Complaint for a Civil Case

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**IV. Relief**

State briefly and precisely what damages or other relief the plaintiff asks the court to order. Do not make legal arguments. Include any basis for claiming that the wrongs alleged are continuing at the present time. Include the amounts of any actual damages claimed for the acts alleged and the basis for these amounts. Include any punitive or exemplary damages claimed, the amounts, and the reasons you claim you are entitled to actual or punitive money damages.

SEE Brief in Support / Complaint

**V. Certification and Closing**

Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.

**A. For Parties Without an Attorney**

I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Date of signing: July 4th, 2023

Signature of Plaintiff

Printed Name of Plaintiff

Timothy Ronald Brown  
Timothy Ronald Brown

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN, SOUTHERN DIVISION**

**JOHN DOE/S  
Plaintiff/s**

**Case no.** \_\_\_\_\_

**v**

**Honorable** \_\_\_\_\_

**Dana Nessel, Attorney General in Official Capacity  
Mike Cox, Kelly Carter, Richard Cunningham  
Anica Letica, Edward Sosnick, James Alexander  
Victoria Valentine, various Staff Attorneys and  
Others** \_\_\_\_\_ / see attached

John Doe/s %  
Tim Brown  
4310 Tall Timber trail  
Prescott, Michigan [48756]  
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**v**

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Oakland County / Courthouse  
1200 N. Telegraph Rd  
Pontiac, MI 48341-0404  
248.858.0581

**The Judicial & Executive Branches 25 Year Crime Spree Must End**

**BRIEF IN SUPPORT OF LAWSUIT FILED PURSUANT TO  
TITLE 42 UNITED STATES CODE ss's 1983, 1985, 1981  
Authorized by Article III US Constitution and  
28 U.S. Code § 1331**

*Heck v Humphrey is inapplicable*



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## JURISDICTION AND VENUE

a. This action arises under the Constitution and laws of the United States.

Jurisdiction is conferred on this Court pursuant to 28 U.S.C. §§ 1331 and 1343.

b. Plaintiff's claims for declaratory and injunctive relief are authorized by 28 U.S.C.

§§ 2201 and 2202, by Rules 57 and 65 of the Federal Rules of Civil Procedure, and by the general legal and equitable powers of this Court.

c. Plaintiff's claim for an award of reasonable costs of litigation, including attorneys' fees and expenses, is authorized by 42 U.S.C. § 1988 and applicable law.

d. Venue is proper under 28 U.S.C. § 1391(b) because the Michigan Department of the Attorney General and the Michigan Department of Civil Rights are located in this judicial district and a substantial part of the events or omissions giving rise to Plaintiff's claims occurred in this district.

e. Defendant Dana Nessel is the Attorney General of Michigan. As the Attorney General, she is responsible for policy. As Attorney General, Defendant Nessel is also responsible for the actions of the Defendants Carter and Cunningham and others. Nessel is sued in her official capacity only. Ex / Governors Whitmer /Granholm/ Engler/ Snyder are culpable as the intentional violations spanned decades.

**FIRST CLAIM FOR RELIEF Plaintiff hereby incorporates by reference all above-stated paragraphs ; ABUSE OF PROCESS**

5. The following elements constitute the intentional tort of abuse of process.

6. The malicious and deliberate misuse of regularly issued civil or criminal court process that is not justified by the underlying legal action.

7. The abuser of process is interested only in accomplishing some improper purpose similar to the proper object of the process.

**8. ABUSE OF PROCESS**

To recover upon a theory of abuse of process, a plaintiff must plead and prove (1) an ulterior purpose and (2) an act in the use of process which is improper in the regular prosecution of the proceeding.” *Friedman v Dozor*, 412 Mich 1, 30; 312 NW2d 585 (1981), citing *Spear v Pendill*, 164 Mich 620, 623; 130 NW 343 (1911). To present a meritorious claim of abuse of process, a plaintiff must show that the defendant had used a proper legal procedure for a purpose collateral to the intended use of that procedure. *Bonner v Chicago Title Ins. Co.*, 194 Mich App 462, 472; 487 NW2d 807 (1992). There must be some corroborating act that demonstrates the ulterior purpose, and a bad motive alone will not establish an abuse of process. *Id.* The gravamen of the misconduct upon which liability is imposed is not the wrongful procurement of legal process or the wrongful initiation of civil proceedings; it is the misuse of process, no matter whether properly obtained, for any purpose other than that which it was designed to accomplish. *Friedman*, 412 Mich at 30 n 18, quoting 3 Restatement Torts, 2d, § 682, comment a, at 474. An action for abuse of process lies for the improper use of process following its issuance, not for maliciously causing it to issue. *Friedman*, 412 Mich at 31.

**9. ULTERIOR PURPOSES / ACTS :**

**10.** Prosecutions with guaranteed convictions for unjust enrichments -

**11.** Media blitzes covering all forms of dissemination for notoriety and political gains such as run for governor of Michigan( Mike Cox ) , advancement to The Court of Appeals ( Anica Letica ) , Granholm, and others

**12.** Salary, new hires, promotions within agency ( AG , Oakland County Court, MDOC, etc ) and Overtime,, Wardens packing prisons , extortion of taxpayer funds and defendants costs to defend using absolutely useless defense attorneys who raked it in at \$3750 per Count ( 2007 rate) to pretend to defend ( Grabel law ), plus money to ineffective appellate attorneys.

**13.** Forced fees ex poste facto on the exceptionally damaging to reputations and employment sex offender registry - all in direct violation of Michigan laws .

**14.** To justify bloated budgets to these corrupt agencies .

**15.** Purchases. Storage, maintenance of vehicles, computers guns , ammo , health insurance , logistical Items, dental, retirement fund, investments etc

**16.** Their target appears to be mostly white males as per media articles.

**17.** An outlet for hatred by Kelly Carter and Richard Cunningham, assistant AGs and perhaps many others promoting this fraud by the court. The bitterness and rancor is tangible from those two in particular and judge Alexander

**18. an act in the use of process which is improper in the regular prosecution of the proceeding :**

19. Deliberately with criminal intentions to the **severe editing** , then deliberately failing to state claims upon which relief can be granted while signing fraudulent charging papers and committing perjury as complaining witnesses and officials.

**SECOND CLAIM FOR RELIEF: Fraud / Obstruction of Justice / Code of Silence / Conspiracy / Gross (Intentional) Negligence:**

Plaintiff hereby incorporates by reference all above-stated paragraphs

20. **Endless Obstruction of Justice by ALL involved:** they continue to act as though they are guiltless of committing fraud and State and Federal Crimes against hundreds . The judges / clerks / staff attorneys / AG's / Assistant AG's, wardens, governors , police , sheriffs , parole board , Judicial Tenure Commission, Attorney Grievance Committee, all levels of appellate courts and whoever else is in on the massive **cover up** .

The policy-makers appear to be the whole contingent named above as they are all in on the scam. Mike Cox , Kelly Carter, Sosnick were deep in the con game. At least the Legislature re-arranged the laws in question so as to hamper the tampering / editing of sentence structure in Count I's mcl 750.145c2.

21. There was an official county and AG policy of violating the constitutional rights of criminal defendants as evidenced by their **coordinated ongoing actions**. Their actions fell far outside the general scope of duties in connection with judicial proceedings . Probable cause did not remotely exist. It was a wrongful **lawless** prosecution with decades of the cover-up and code of silence.



**22.** The substance of the allegations fail to charge any crime/s :

Mich Court Rule 6.101 Complaint

(A) Definition and Form. A complaint is a written accusation that a named or described person has committed a specified criminal offense. The complaint **must include the substance of the accusation** . The prosecutors violate Michigan Court rules wantonly, with criminal disregard to the crimes they commit. Gross negligence is the MO. [ Governors / Police / Sheriff / State Police remain silent.]

**23.** The Attorney General offered the *Denman/Schindler* definition of gross negligence:**Gross negligence** has been defined as an intentional failure to perform a manifest duty or a thoughtless disregard of the consequences as affecting life or property of another without the exercise of any effort to avoid them. *Putt v. Grand Rapids & Indiana R. Co.*, 171 Mich 215; 137 NW 132 (1912).(140)

Prosecutor may be liable in federal civil rights suit for making false statements, under oath, in connection with application for arrest warrant; in certifying veracity of alleged facts which were basis for warrant, she acted as a "complaining witness" rather than as a lawyer, and prosecutorial absolute immunity did not apply. *Kalina v. Fletcher*, 118 S.Ct. 502 (1997).

The Attorney General went on to cite *Thomas v. Consumers Power*

Co.,(141) which applies the definition of wilful and wanton conduct set forth in *Gibbard*.

#### **24. THIRD CLAIM FOR RELIEF : Due Process / Lack of Subject Matter**

##### **Jurisdiction / Additional Frauds /**

Plaintiff hereby incorporates by reference all above-stated paragraphs.

FROM COLE v ARKANSAS 333 U.S. 196:

**No principle of procedural due process is more clearly established than that notice of the specific charge**, and a chance to be heard in a trial of the issues raised by that charge, if desired, are among the constitutional rights of every accused in a criminal proceeding in all courts, state or federal. In re Oliver, 333 U.S. 257, 68 S.Ct. 499, and cases there cited.

If, as the State Supreme Court held, petitioners were charged with a violation of § 1, it is doubtful both that the information fairly informed them of that charge and that they sought to defend themselves against such a charge; it is certain that they were not tried for or found guilty of it.

**It is as much a violation of due process to send an accused to prison following conviction of a charge on which he was never tried as it would be to convict him upon a charge that was never made.** *De Jonge v. State of Oregon*, 299 U.S. 353, 362, 57 S.Ct. 255, 259, 81 L.Ed. 278.

**25.** The crimes listed in mcl 750.145d1a are **all** in-person only and the Internet

prohibitions were added for prosecution AFTER an in-person crime was committed subsequent to the actors' introduction earlier online.

**26.** Jury instructions testify to this fact as do the laws-as written and 2002 Public Act 45 cements the legal requirement of the child / minor. :

Crimes; prostitution; age limit restricting prosecution for certain prostitution violations; revise, and eliminate requirement of knowledge of age **of child** for certain other sex-related crimes. Amends secs. 145a, 145b & 448 of 1931 PA 328 (MCL 750.145a et seq.). TIE BAR WITH: HB 4325'01 SB 0180'01 SB 1029'02  
Last Action: 03/14/2002 - assigned PA 0045'02

**27.** Article I , Section I of the United States Constitution only allows the legislative branch to write or alter laws - it is not in the purview of the Executive branch - these actions by the State Attorney General Office were unauthorized and resulted in an **absolute lack of subject matter jurisdiction** being vested in this honorable court .

**28.** The FRAUD-BASED PLEA was Involuntary - Unintelligent - Unknowing and VOID

The 11 crimes listed in MCL750.145d1a ( 1931 Public Act 328 ) :

kidnapping ,conspiracy to commit crime ,carry away a child,accost a child,  
sexually abuse THE child ,criminal sexual conduct in 1st, 2nd,3rd & 4th degree  
,assault to commit csc ,in-person sales adult materials,

HOW ARE THESE IN-PERSON CRIMES POSSIBLE TO VIOLATE ONLINE?

**29.** JURY INSTRUCTIONS : ( kept hidden by the officers ) see Exhibit B,C

**30. DAMAGES: FRAUD, FRAUD ON THE COURT, FRAUD BY THE COURT  
RESULT : VOID JUDGMENT**

All these types of fraud , along with fraudulent misrepresentation, silent fraud , criminal fraud and negligent misrepresentation are all plead with particularity throughout .

**FOURTH CLAIM FOR RELIEF: UNLAWFUL SEARCHES & SEIZURES ( 4th, 5th, 6th Amendments )**

**Plaintiff hereby incorporates by reference all above-stated paragraphs.  
Plus Article 1 § 17 of Michigan's Constitution**

**31.** The inherent right against unlawful searches and seizures is further secured and protected by the 4th amendment to the US Constitution:

“ The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no Warrants shall issue, but upon probable cause, supported by Oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.”

**32. Article 1 § 17 Michigan Constitution: Self-incrimination; due process of law; fair treatment at investigations.** Sec. 17. No person shall be compelled in any criminal case to be a witness against himself, nor be deprived of life, liberty or property, without due process of law.

**33.** Perhaps a mixture of the 4th and 5th amendments, being pro se as no attorney will touch this out of fear of the AG forces Plaintiff/s to go it alone .

**34. Unlawful searches & seizures:**

1. Warrantless and unjustified arrest with search of person & vehicle
2. Fraud-based warrant served on minor son and the seizing of computer and damage to furniture and wall and bank accounts.
3. **About 80 unlawful strip searches** in unlawful detainment by the State and Counties involved . The AG / Police / Sheriff / MDOC / Courthouses.
4. Unlawful handcuffing , ankle cuffs, belly chains

*Mapp v. Ohio* was a 1961 landmark Supreme Court case decided 6–3 by the Warren Court, in which it was held that Fourth Amendment's protection against unreasonable searches and seizures applied to the states and excluded unconstitutionally obtained evidence from use in state criminal prosecutions. The decision in *Miranda v. Arizona* established that the exclusionary rule applies to improperly elicited self-incriminatory statements gathered in violation of the **Fifth Amendment**, and to evidence gained in situations where the government violated the defendant's **Sixth Amendment** right to counsel.

**35.** Damages re unlawful Strip Searches: *Romanski v Detroit Entertainment Ilc*, 265 F. Supp. 2d 835 (E.D.Mich. 2003):

\$875,000 personal injury - includes unlawful detention, intentional infliction of emotional distress, defamation **1.51 million in 2023 dollars approximately for part of a day.**

**36. Drogosch v. Tim Metcalf, No. 08-1249 (6th Cir. 2009):**

13 days unlawful detention approx \$19,072 to \$1.5 Million / day for 3.5 years plus 1.5 years on state leash and order of 25 years on the Registry adds up. Plaintiff demands these awards ASAP as the damages are since 2007 and inflation is rising daily plus the BRICs nations, any maybe Saudi Arabia are dumping the Petrodollar for gold-backed currency starting August 2023.

**FIFTH CLAIM FOR RELIEF: ( 1st Amendment )**

**Plaintiff hereby incorporates by reference all above-stated paragraphs.**

**37. DAMAGES: RIGHT TO REDRESS DENIED BY THE "COURTS"**

**38. court n. 1. a. a place where legal justice is administered.**

By that definition the plaintiff/s has NEVER BEEN TO COURT.

**39. Congress shall make no law respecting .....and to petition the Government for a redress of grievances.**

**40.** This fundamental right to redress of grievances has been denied by all levels of State / County improperly labeled " courts " and the AG *ab initio* since 2007 by their constant unwarranted unauthorized unlawful illegal denials of motions to vacate their fraud-based judgments

**41.THEY WILL NEVER ORDER THE ENTITLED FULL RELIEF OF JUDGMENT WHICH WOULD EXPOSE THEIR SCAM AND UNJUST ENRICHMENTS**

42. The defendants dishonor their oaths , scoff at and violate mich law, reject mich jury instructions as they continually deny motions they say are improper procedure while incessantly refusing to address the merits.

**SIXTH CLAIM FOR RELIEF: 6th Amendment violations**

**Plaintiff hereby incorporates by reference all above-stated paragraphs.**

**DAMAGES :DELIBERATE 6TH AMENDMENT VIOLATIONS:**

**43. Amendment VI**

In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an **impartial jury**...and to be **informed of the nature and cause of the accusation**; to be confronted with the witnesses against him; to have compulsory process for obtaining witnesses in his favor, **and to have the assistance of counsel for his defense.**

44. They bypassed any grand jury. A potential empaneled jury that is not deceived would be improbable. **No published case law appears to be available providing a defense readily found in the full laws and jury instructions.**

45. Informed of nature and cause is a joke since less than 5% of the Michigan Compiled Laws 'charged' were in the so-called Felony Information.

46. Assistance of counsel for defense' ? They conspire with the rest of the officials for super easy money.

47. *Brown v Susan K . Walsh* No.12-10535 in Federal Court

48. wasn't denied but rather delayed by Thomas Ludington - citing *Heck*. This fed judge did not deny that plaintiff was kidnapped but rather that

damage awards do not apply to being kidnapped ( after rejecting case law suggesting such ) . That overall case is on some sort of eternal hold via *Heck*.

49. In Oakland County District court, Judge Bondy , retained lawyer Scott Grabel immediately waived 'discovery' as he called it . Hackett decided a plea was to occur despite the law and tampered fake evidence and pressured for such.

**50. : 7th Claim for Relief : INTENTIONAL GROSS NEGLIGENCE**

**Plaintiff hereby incorporates by reference all above-stated paragraphs.**

Only one statute which uses the term "gross negligence," the Government Tort Liability Act (GTLA), includes its own definition of that term. In response to the liability insurance crisis of the mid-1980s, the Michigan legislature enacted a package of tort reforms in 1986, including amendments to the Government Tort Liability Act (GTLA). The legislature retained most of the earlier statutory provisions for governmental immunity and liability originally enacted in 1964. In the context of this report, however, the most significant amendments to the GTLA are those found at **M.C.L. § 691.1407, M.S.A. § 3.996**. That section for the first time extended immunity to individual government officers and employees from tort liability "for injuries to persons or damages to property caused by the officer [or] employee . . . while in the course of employment . . . while acting on behalf of a governmental agency" if the officer.. satisfies the following three-prong test:

**(a)** The officer [or] employee . . . is acting or reasonably believes he or she is acting within the scope of his or her authority.



(b) The governmental **agency** is engaged in the exercise or discharge of a governmental function. [ Agencies, plural: Executive and Judicial .]

(c) The officer's [or] employee's conduct does not amount to gross negligence that is the proximate cause of the injury or damage. As used in this subdivision, **"gross negligence" means conduct so reckless as to demonstrate a substantial lack of concern for whether an injury results.**(145)

51. As the Michigan Supreme Court observed in *Dedes v. Asch*, "gross negligence is not defined in the [GTLA] as it was at common law. Instead, *the Legislature created a specific definition of the term in the statute itself.*"

52. **Gross negligence applies to every action by these officials** at every level of the Executive and Judicial branches in this case as detailed above and below.

53. In suits against state-level units of government under 42 U.S.C. §1983 that allege violations of an individual's federally-protected civil rights, in order to overcome the government's qualified immunity it is necessary to show that the violation arose out of the government's "policy, practice, or custom," and that policy, practice, or custom evidences "deliberate indifference, gross negligence, or recklessness," rather than mere negligence, towards the individual's rights. See, e.g., *Hill v. Saginaw*, 155 Mich. App. 161, 71, 399 N.W.2d 398 (1986). Give *CJI2d 16.18 Gross Negligence (1)* Gross negligence means more than carelessness. It means willfully disregarding results to others that might follow **from an act or**

**failure to act.** In order to find that the defendant was grossly negligent, you must find each of the following three things beyond a reasonable doubt:

**(2)** First, that the defendant knew of the danger to another, that is, he knew there was a situation that required him to take ordinary care to avoid injuring another.

**(3)** Second, that the defendant could have avoided injuring another by using ordinary care. Defendants in the Executive & Judicial branches actions were intentional and ongoing as common practice and procedure all these years.

**(4)** Third, that the defendant failed to use ordinary care to prevent injuring another when, to a reasonable person, it must have been apparent that the result was likely to be serious injury. See M.C.L. § 691.1407, M.S.A. § 3.996

**54. 8th Claim for Relief: SUBJECT MATTER JURISDICTION cont'd:**

**Plaintiff hereby incorporates by reference all above-stated paragraphs.**

**55.** “ A trial court **must dismiss** an action when there is a lack of subject matter jurisdiction, and a **party cannot be estopped from raising the issue.**”

*Dorsey*, 306 Mich App at 581. “ When a court is without jurisdiction of the subject matter, **its acts and proceedings are of no force and validity; they are a mere nullity and void**... thus, an order entered without jurisdiction may be challenged collaterally as well as directly.” *Clement*, 254 Mich App at 394.

**56.** “ Because subject matter jurisdiction concerns a court’s power to hear a case , it is not subject to forfeiture, waiver , or stipulation. See *United States v*

*Cotton*, 535 U.S.

625,630 (2002); *People v Lown*, 488 Mich 242, 268 (2011); *People v Eaton*, 184 Mich App 649,653 (1990). The issue of subject matter jurisdiction “ can be raised at any time

by any party or the court,” in *re Contempt of Dorsey*, 306 Mich App 571,581 ( 2014), and the court is required to recognize it lacks subject matter jurisdiction, “ regardless of whether the parties raised the issue,” *People v Clement*, 254 Mich App 387,394 (2002)

**57.** Do the intentional habitually committed crimes by the officials detailed in this document above and below- which manifests their ongoing standard policy and procedure - qualify as judicial, prosecutorial, defense and executive branch authorized functions ? Hopefully this Federal Court will not join them or cover up for them by unconstitutionally citing the inapplicable *Heck v Humphrey* caselaw that applies to wholly different circumstances.

**58.** The charges are legally insufficient. The laws were edited to deceive 100s if not 1000s into fraud-based plea bargains. Untold damages followed and continue.

**59.** The One Court of " Justice " in Michigan violates and rejects their own court rules and conspire with the in-your-face felonious activity committed by numerous officers of the court and others in offices Statewide. Governors are complicit for decades.

**60.** *Heck v Humphrey* 512 US 477 cannot apply for at least these reasons:

- a. No crime was charged { on purpose to trick their victims }
- b. No criminal convictions exist - how can a *criminal* conviction exist or a *criminal* sentencing when no crime was charged ?
- c. Fraud, fraud on the court and fraud by the court is not protected by *Heck*
- d. Nefarious State *and* Federal criminal violations must not be covered up.
- e. Innocent victims of the State must finally be served justice.
- f. *Heck* is not designed to assist the Executive and Judicial branches in committing and conspiring to commit crimes against 1000's of mostly white males in the State of Michigan by severely editing laws plus unlawful procedures,
- g. Gross negligence combined with conspiracy and discrimination must not be protected by *Heck v Humphrey* - that is an abomination if so utilized ,

h. Defense attorneys must not be allowed to conspire with corrupt prosecutors to pretend to defend the multitude of the prosecution's victims - taxpayers included.

i. Judges, clerks, staff attorneys, wardens, governors, appeals courts that conspire with the felonies of the prosecutors must not be permitted to blindfold, gag and handcuff Lady Justice - this is not protected by *Heck v Humphrey*.

61. A host of Constitutional violations are evidenced in the very documents used to charge and condemn the guiltless plaintiff/s :

**9th Claim for Relief : UNLAWFUL DETENTIONS (4th / 5th / 8th amendments)**

**Plaintiff hereby incorporates by reference all above-stated paragraphs.**

62. Unlawful detentions : 18 days Jail - Tether on bond for months - Prison 3.5 years - Tether 1.5 years during probation all obtained through fraud, deception, intentional trickery that violates at least the Fourth Amendment of the US Constitution, Michigan's Constitution Article 1 subsection 17, Due Process Clause, Amendment 5 of US Const, Inherent rights of freedom from slavery, freedom from fraudulent government actions. The limits for freedom of movement, local and international travel and residency / visiting rules unlawfully imposed by the sex offender registry are very egregious to thousands of actually innocent mostly white males. This conspiracy of oppression is heinous.

63. Extremely malicious and unauthorized prosecution in all 4 counts. They faked probable cause and deceived their victims, the public, the media (supposedly), juries or potential juries, maybe the police initially but their code of

silence after being informed makes them complicit, and God knows who else.

64. “ A trial court did not act erroneously in denying qualified immunity as a matter of law to a former audit investigator and former prosecutor on claims that they **denied the plaintiff a fair trial by intentionally manipulating data** displayed on spreadsheet summary charts presented to a grand jury **to create a false impression** that he had billed Medicaid for dental services never performed. This led to his indictment and trial, and although he was acquitted, he lost his dental practice as well as suffering other damages. The knowing **creation of false or misleading evidence** by a government employee acting in an investigative capacity has been clearly established as constituting an unconstitutional violation of rights. The jury awarded the plaintiff \$6,724,936(**8.56 Million now**) in compensatory damages and \$1 million in punitive damages, and the plaintiff accepted a reduction to compensatory damages of \$4,624,936 (**5,949,517 million now**)and punitive damages of \$100,000(**\$127,347**), rather than undergoing a new trial on damages. *Morse v. Fusto*, #13-4074, 2015 U.S. App. Lexis 16154 (2nd Cir.).”

65. **10th Claim for Relief; Assault** : Handcuffs, belly chains, leg chains, **strip searches** x around 80, pat downs after church and elsewhere

66. “...either accept a 90% reduction to \$75,000 or undergo a new trial on damages. The trial court used prior cases, including a **1978 strip search award for \$75,000 for comparison, but made no adjustment for inflation. (\$347,203 now)** After a new reduced amount is calculated, making such an adjustment for

inflation, the plaintiffs may either accept that amount or undergo a third trial on damages. They were entitled to attorneys' fees for a percentage of the time spent on the first trial and for all of the work done on the second trial. *McCabe v. Parker*, #09-1185, 2010 U.S. App. Lexis 13327 (8th Cir.). "...nor did the court abuse its discretion by finding a \$750,000(**1.038 million**) damage award was excessive; however, the **court erred in remitting the damage award to \$75,000(103.8k)**; when a court employs a damage comparison approach and thereafter identifies a range of reasonable jury awards in similar cases, the court is not at liberty to remit the award to the low range or even somewhere in the middle; the court's only choice is to remit the award to the maximum amount identified as within the reasonable range..."

Woman unconstitutionally strip-searched awarded \$30,000 *Tikalsky v. City of Chicago*, 687 F.2d 175 (7th Cir. 1982).( **about \$93,800 now** )

**67. \$875,000 including unlawful strip search** :Romanski v. Detroit Entertainment, LLC, 265 F. Supp. 2d 835 (E.D. Mich. **2003**) = **1.51 Million Dollars Today approx.**

#### **68. Exemplary Damages**

The evidence is the law as written vs the law as deleted/edited and then unlawfully prosecuted with what AG Assistant Kelly Carter declared to be a 100% conviction rate in one response back around 2008. A 100% vacation of 100s or 1000s of fraud-based convictions statewide is decades overdue.

69. “ In an action for abuse of process, an injured person could recover only the actual damage s/he suffered as a natural and probable consequence of abuse. Remote, indefinite, or speculative damages are not recoverable. However special damages like physical or mental injury, expenses, loss of time and injury to business, property, or financial standing are recoverable. In *Heck v. Humphrey*, court held that one could not claim damages for an outstanding **criminal** conviction. Thus, in an action for abuse of process an injured person is entitled only to reasonable compensation for actual damages. However, *when an abuse of process is accompanied by malice, exemplary or punitive damages is awarded.* compensation for injury, [i] *Donohoe v. Burd*, 722 F. Supp. 1507 (S.D. Ohio 1989)

The prosecution was a malice filled one as are all the heartless unauthorized denials of entitled full relief of judgment . There are no rebuttals that address the merits - they all maintain a Code of Silence which is another symptom of the non-stop denial of any valid Redress of Grievances in violation of the inherent right to defend oneself which the 1st Amendment to the US Constitution further secures and protects.

Plaintiff could not locate caselaw for damage awards concerning redress of grievances but it affects the entire judicial process with intense frustration and denies due process, rejects the laws of Michigan , the jury instructions and the Michigan and US Constitution's core principles of jurisprudence.



**70.** Ordering anything against plaintiff/s after an abuse-filled prosecution again abuses process - so all searches / seizures , local and worldwide defamations , media extravaganzas, jail and prison time, tether times, sex offender registry and all costs / fees tethered to this deliberate abuse of process demand significant damage awards in whatever authorized format or title/s .

**71.** The officials running this 25 year scam know it was all fraud, trickery, deception and not possessing any legal merit as they chopped up laws for their unjust enrichments.

Prosecutrix Carter perjured venue to Oakland County , a county that gladly conspires with the AG Office in these unlawful matters .

Further perjuring herself in pre-trial claiming the “copy” of plaintiff’s computer was an “image” of his harddrive when in fact the forensic experts said **the data is of unknown origin** - see record. Plus, how come only ONE chopped up ( as per forensics) conversation exists on the “image” and it just happens to be with the AG unauthorized task force? One other conversation was overlooked by the tamperers, well 3 words and one number: “ ... actually she is 24....” in **ROLE PLAY ADULTS ONLY** . Inadmissible fake evidence of a fake crime.

Carter conspires with fellow AG’s and every official involved in the cover up.

**72. 11th Claim for relief: INTENTIONAL INFLICTION OF EMOTIONAL**

**DISTRESS / 4th Amendment violations / :Plaintiff hereby incorporates by reference all above-stated paragraphs.**

“To establish a prima facie claim of intentional infliction of emotional distress, the plaintiff must present evidence of (1) the defendant's extreme and outrageous conduct, (2) the defendant's intent or recklessness, (3) causation, and (4) the severe emotional distress of the plaintiff.” *Dalley v Dykema Gossett PLLC*, 287 Mich App 296, 321; 788 NW2d 679 (2010) (internal quotation omitted). “Liability for the intentional infliction of emotional distress has been found only where the conduct complained of has been so outrageous in character, and so extreme in degree, as to go beyond all possible bounds of decency, and to be regarded as atrocious and utterly intolerable in a civilized community.” *Doe v Mills*, 212 Mich App 73, 91; 536 NW2d 824 (1995). Accordingly, “[l]iability does not extend to mere insults, indignities, threats, annoyances, petty oppressions, or other trivialities.” *Id*

**73.** Being called a menace to society, chained up , thrown in prison for years then forced onto the sex offender registry 25 years with no legal authority demands exceptionally large damage awards. The attorney general task force made sure to contact all the local papers in 2007 , the radio stations, TV stations announcements , and the worldwide web . All levels of media were broadcasting the unauthorized actions . The stress is tremendous .

**74.** Are kidnapping , assaulting , extorting and defaming executive and judicial branch functions leading to IIED ? They violate mcl 750.349(a) and (e) and since they crossed State lines electronically Title 18 United States Code § 1201 applies

75. Not one lawyer or law firm will take this filing after a large number were contacted. It appears they do not want to bite the hand that stuffs their bank accounts - the AG and Governors.

76. This court must cut the plaintiff some slack in his litigation :

under the allegations of the pro se complaint, which we hold to less stringent standards than formal pleadings drafted by lawyers, *Haines v Kerner* 404 U.S. 519, 92 S.Ct. 595, 30 L.Ed.2d 652 (1972)

77. Plaintiff had blood, fingerprints, palm prints, photos , dna, years, etc forcibly taken without any legal authority to do so:

**78. Fingerprinting.** "Fingerprinting an individual **without probable cause**, a warrant, or an applicable warrant exception violates an individual's Fourth Amendment rights." *Johnson v Vanderkooi*, \_\_\_ Mich \_\_\_, \_\_\_ (2022). In *Johnson*, the Court held that the "fingerprinting of each of the plaintiffs in these cases **constituted a physical trespass onto a person's body, a constitutionally protected area.**" *Id.* at \_\_\_.

**79. Searches and Reasonable Expectation of Privacy**

Police conduct constitutes a *search* subject to Fourth Amendment restrictions when it (1) "violate[s] a person's 'reasonable expectation of privacy,'" *United States v Jones*, 565 US 400, 406 (2012), quoting *Katz v United States*, 389 US 347, 360 (1967) (Harlan, J., concurring); (2) involves a physical trespass or intrusion in an attempt to find something or obtain information, *Jones*, 565 US at 406-407; or.... *Kyllo v United States*, 533 US 27, 34-35, 40 (2001). See *Jones*, 565 US at 407-408 (noting that Justice ...the principle 'that, when the Government . . . engage[s] **in physical intrusion of a constitutionally protected area in order to obtain information, that intrusion may constitute a violation of the Fourth Amendment,**' irrespective of any inquiry into a person's reasonable expectation of privacy) (citation omitted; emphasis added); *Florida v Jardines*, 569 US 1, 11 (2013) (noting that "[t]he *Katz* reasonable-expectations test 'has been *added to*, not *substituted for*,' the traditional property-based understanding of the Fourth Amendment, and so

**80. Is unnecessary to consider when the government gains evidence by physically intruding on constitutionally protected areas”)[ online communications that are lawful ]** (quoting *Jones*, 565 US at 409); *Kyllo*, 533 US at 29-30, 34-35, 40

“[A] seizure may be of a person, a thing, or even a place.” *Bailey v United States*, 568 US 186, 189 (2013). “[I]n determining whether a seizure occurred, a court must consider the totality of the circumstances.” *People v Anthony*, 327 Mich App 24, 33 (2019). “The ‘seizure’ of a ‘person’ plainly refers to an arrest,” and “‘the arrest of a person is quintessentially a seizure.’” *Torres v Madrid*, 592 US \_\_\_, \_\_\_ (2021), quoting *Payton v New York*, 445 US 573, 585 (1980).

A seizure of property within the context of the Fourth Amendment “occurs when there is some meaningful interference with an individual’s possessory interests in that property.” *United States v Jacobsen*, 466 US 109, 113 (1984); see also *United States v Place*, 462 US 696, 707-708 (1983)

A person is seized for purposes of the Fourth Amendment when there is an application of physical touching or force, or a nonphysical show of authority to which the person submits. *California v Hodari D*, 499 US 621, 626 (1991).

**81. Subject Matter Jurisdiction ( IIED/Code of Silence/Redress & 6th Amendment violations/ continued in appeals )Plaintiff hereby incorporates by reference all above-stated paragraphs.**

Because subject matter jurisdiction concerns the court’s power to hear a case, it is not subject to forfeiture, waiver, or stipulation. See *United States v Cotton*, 535 US 625, 630 (2002); *People v Lown*, 488 Mich 242, 268 (2011); *People v Eaton*, 184 Mich App 649, 653 (1990). The issue of subject matter jurisdiction “**can be raised at any time** by any party or the court,” *In re Contempt of Dorsey*, 306 Mich App 571, 581 (2014) (citation omitted), **and the court is required to recognize that it lacks subject matter jurisdiction**, “regardless of whether the parties raised the issue,” *People v Clement*, 254 Mich App 387, 394 (2002)

The Judicial and Executive branches reject this requirement to recognize their lack of subject matter jurisdiction.

**82.** How did subject matter jurisdiction exist when only 37 of 877 words were charged and 20 of those words are just the penalties from 4 statutes and 22 words/numbers of 152 in Count I ? **17 words of an inapplicable element - preparation for commercial activity/gain - which did not exist and still requires an actual victim & knowledge of that status.**

**83** “A trial court must dismiss an action when there is a lack of subject-matter jurisdiction, and a party cannot be estopped from raising the issue.” *Dorsey*, 306 Mich App at 581 (citation omitted). **“*When a court is without jurisdiction of the subject matter, its acts and proceedings are of no force and validity; they are a mere nullity and are void. . . . Thus, an order entered without jurisdiction may be challenged collaterally as well as directly.*”** *Clement*, 254 Mich App at 394 (citation omitted).

The Fourth Amendment of the United States Constitution, US Const. Am IV, and its state constitution counterpart, Const 1963, art 1, § 11, prohibit “unreasonable searches and seizures absent a warrant based upon probable cause[.]” *People v Kazmierczak*, 461 Mich 411, 417 (2000). US Const. Am IV provides:

“The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no warrants shall issue, but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.”

**84.** Similarly, Const 1963, art 1, § 11 provides, in part:

“The person, houses, papers and possessions of every person shall be secure from unreasonable searches and seizures. No warrant to search any place or to seize any person or things shall issue without describing them, nor without probable cause, supported by oath or affirmation.”<sup>1</sup>

**85. “Generally, evidence obtained in violation of the Fourth Amendment is inadmissible as substantive evidence in criminal proceedings.”** *In re Forfeiture of \$176,598*, 443 Mich 261, 265 (1993); see *Mapp v Ohio*, 367 US 643 (1961). The exclusionary rule “is a cornerstone of American jurisprudence that affords individuals the most

basic protection against arbitrary police conduct.” *In re Forfeiture of \$176,598*, 443 Mich at 265.

**86.** Arrests, for which the Fourth Amendment requires that the police have probable cause to believe that a person has committed or is committing a crime, *Shabaz*, 424 Mich at 59.

**87.** There is a strong preference that searches and seizures be made pursuant to a search warrant. *United States v Ventresca*, 380 US 102, 106 (1965).

**From Michigan Criminal Proceedings Benchbook Vol. 1**

An information shall not be filed until the defendant has had or has waived a preliminary examination. MCL 767.42(1).

**88. 15th Claim for Relief : FRAUD / Due Process 5th/14th Am violations**  
**Plaintiff hereby incorporates by reference all above-stated paragraphs.**

**89. Guilty Pleas**

A guilty plea is a conclusive conviction equivalent to a jury’s guilty verdict. *People v Ginther*, 390 Mich 436, 440 (1973) (citations omitted). A defendant’s decision to plead guilty “is the most serious step a defendant can take in a criminal prosecution.” *People v Thew*, 201 Mich App 78, 95 (1993). Precisely because a guilty plea is the most serious aspect of a defendant’s criminal case, a guilty plea “not only **must be voluntary but must be [a] knowing, intelligent ac[t] done with sufficient awareness of the relevant circumstances and likely consequences.**” *Id.*, quoting *Brady v United States*, 397 US 742, 747-748 (1970).

MCR 6.302 describes a detailed process by which a circuit court is to determine whether a plea is understanding, voluntary, and accurate.<sup>1</sup> See MCR 6.302(B)-(D).<sup>2</sup>

**90. One inapplicable essential element was charged out of 4 counts**

In Michigan, portions of MCR 6.302(A)<sup>1</sup> are “premised on the requirements of constitutional due process[.]” *Cole*, 491 Mich at 332.

**91. Due process was absent ab initio due to the intentional fraud.**

It is the duty of the judge to be satisfied that a plea is made freely, **with full knowledge of the nature of the accusation, and without undue influence.** MCL 768.35. The court may not accept a guilty or nolo contendere (no contest) plea unless it is convinced that the plea is **understanding, voluntary, and accurate.** MCR 6.302(A); MCR 6.610(F)(1). See also *People v Brinkey*, 327 Mich App 94, 100 (2019) (“although strict compliance with MCR 6.302 is not essential, a defendant’s plea must always be understanding, knowing, voluntary, and accurate”). In other words, a **defendant must be afforded due process.** See *Cole*, 491 Mich at 332. If the court doubts the veracity of a guilty

or no contest plea, the judge is obligated to vacate the plea, direct entry of a not guilty plea, and order the case to trial. MCL 768.35.

92. “A defendant who has entered a plea **does not waive** his [or her] opportunity to attack the voluntary and intelligent character of the plea by arguing that his or her counsel provided assistance during the plea bargaining process.” *People v Horton*, 500 Mich 1034 (2017), citing *Hill v Lockhart*, 474 US 52, 56-57 (1985), and overruling *People v Vonins (After Remand)*, 203 Mich App 173, 175-176 (1993), and *People v Bordash*, 208 Mich App 1 (1994), “to the extent that they are inconsistent with *Hill*.”]

93. Before accepting a guilty or nolo contendere plea in a felony case, the court must place the defendant under oath and personally carry out MCR 6.302(B)-(E). MCR 6.302(A). However, due process “might not be entirely satisfied by compliance with subrules (B) through (D).” *Cole*, 491 Mich at 330-332, 337-338 (holding that, “regardless of the explicit wording of” former MCR 6.302(B)-(D), which did not specifically require a trial court to inform a defendant about the possibility of lifetime electronic monitoring, “a court may be required by the Due Process Clause of the Fourteenth Amendment to inform a defendant that mandatory lifetime electronic monitoring is a consequence of his or her guilty or no-contest plea[.]” however, MCR 6.302(B)(2) was subsequently amended to require this advice by the court).



94. A trial court's acceptance of a defendant's guilty or no contest plea is implicit proof of the court's determination that the plea was freely, understandingly, and voluntarily made. *In re Guilty Plea Cases*, 395 Mich 96, 126 (1975).

95. "[T]he court, by questioning the defendant, **must establish support** for a finding that the defendant is guilty of the offense charged or the offense to which the defendant is pleading." MCR 6.302(D)(1)<sup>2</sup>; see also MCR 6.610(F)(1)(a). A guilty plea should not be accepted by a trial court until facts sufficient to establish the defendant's guilt have been placed on the record. *People v Haack*, 396 Mich 367, 375 (1976). "Courts in Michigan are **required** to evaluate a defendant's *actual* guilt before accepting a plea, not just the mere expression of willingness by the prosecutor and defendant to strike a bargain." *People v White*, 331 Mich App 144, 152 (2020) (quotation marks and citation omitted).

The adequacy of the factual basis for a guilty plea is reviewed by examining "whether the factfinder could properly convict on the facts elicited from the defendant at the plea proceeding." *People v Brownfield (After Remand)*, 216 Mich App 429, 431 (1996), citing *People v Booth*, 414 Mich 343, 360 (1982).

**\*\*\*96.\*\*\* When a plea is taken and all of the required elements are not satisfied, the case should be remanded to allow the prosecution to establish the missing elements. *People v Mitchell*, 431 Mich 744, 749-750 (1988). If the prosecution is able to do so and there is no contrary evidence, the defendant's conviction should stand. *Id.* at 750. However, if the prosecution is unable to establish that the defendant committed the offense, ***the trial court must set aside the defendant's conviction***. *Id.* If contrary evidence is produced, the matter should be treated as a motion to withdraw the guilty plea, and the trial court must exercise its discretion to decide the matter. *Id.* If the motion is granted, the trial court must set aside the conviction. *Id.***

97. 13th Claim for Relief: CODE OF SILENCE

**Plaintiff hereby incorporates by reference all above-stated paragraphs.**



Plaintiffs in *Brandon v. Allen*, #C-78-2076, 516 F. Supp. 1355 (W.D. Tenn. 1981) argued that they were **attacked** by an off-duty officer **without provocation**, but also that the officer's violent propensities were well known, and that he should have been dismissed. The Director of the department could face liability because of his **failure to take proper action to become informed of the officer's dangerous propensities, in part because his procedures were highly conducive to covering up officer misconduct**. The case was the subject of further proceedings in *Brandon v. Holt*, #83-1622, 469 U.S. 464 (1985), rejecting a claim of qualified immunity for the director and allowing the addition of the city as a party. Subsequently, in *Brandon v. Allen*, #78-2076, 645 F. Supp. 1261 (W.D. Tenn. 1986), the plaintiffs were awarded a total of \$51,310.75(**140k now**) in compensatory damages and \$50,000(**140k**) in punitive damages, as well as attorney's fees of \$116,278.75(**319k**) and costs of \$5,876.23.(**\$16,182**)

**98.** The dangerous tendencies of the AG office and County courts has been covered up for decades, as well as the various 'law' enforcement divisions statewide.

In *Katt v. New York*, #95 Civ. 8283 151 F. Supp. 2d 313 (S.D.N.Y. 2001), a former civilian employee of a police department was awarded \$400,000 in compensatory damages...was based on tacit and explicit cues from others never to report or complain about the official misconduct of police officers. (**\$681,730.10 now in 2023**)

a claim that the city had a persistent widespread custom or practice of protecting officers from citizen complaints...A persistent widespread custom or practice had been alleged to constitute a de facto policy of concealing or suppressing investigations into police officer misconduct, along with a code of silence within the police department. The jury also found that the officer conspired with others under color of law in violation of the plaintiff's First Amendment rights to free speech. It awarded \$850,000 in damages.*Obrycka v. City of Chicago*, #07 C 2372, U.S. Dist. Court (N.D. Ill. November 13, 2012)...

The city stated that it would pay the plaintiff compensatory damages in the amount of \$850,000,(**1.113 Million now**) plus costs and reasonable attorney's fees in an amount yet to be determined. The city also stated that it will forego its right to appeal pursuant to the parties' post judgment

settlement. In an earlier decision, the trial judge found that there was evidence that the defendant officer tried to intimidate and threaten the victim from disclosing the videotape of the incident because he knew, that without the tape, **there would be no case against him.** *Obrycka v. City of Chicago*, #07 C 2372, 2012 U.S. Dist. Lexis 22818 (N.D. Ill.).

**100. Plaintiff's complaints / motions unheeded for 16 years :**

The private citizen, as a part of his moral duty to the public, should undoubtedly convey to the police officers any information he may have in regard to a crime believed to have been committed, and the perpetrator thereof. Such communications are absolutely privileged. [*Gowan v Smith*, 157 Mich 443, 450; 122 NW 286 (1909), citing *Shinglemeyer*, supra.]

**101.** The police , prosecutors , judges, court clerks, staff attorneys, mayors , township supervisors, attorney general office , etc PAY NO ATTENTION TO THE CRIMES REPORTED FOR 16 YEARS and refuse to investigate.

**102.** Plaintiff has repeatedly sworn under penalty of perjury via affidavits in State/County and Federal courts that he was kidnapped, assaulted, extorted and defamed .

**103. *They have not rebutted these sworn affidavits. They are complicit as they cover up the crimes of court officers and other co-conspirators in various municipalities.*** They are estopped from denying this. .

**104. 14th Claim for Relief: DEFAMATION per se**  
**Plaintiff hereby incorporates by reference all above-stated paragraphs.**

In Michigan, a person can only sue for defamation *per se* if an alleged offending party suggests or implies a person is guilty of a sex crime . Then the aggrieved party can sue for damages without having to prove actual damages.

**105. 600.2911 Action for libel or slander.**

Sec. 2911.

(1) Words imputing a lack of chastity to any female or male are actionable in themselves and subject the person who uttered or published them to a civil action for the slander in the same manner as **the uttering or publishing of words imputing the commission of a criminal offense.**

**106.** Officer liable for \$35,000 (**59.6k now**) for civil rights violation and false imprisonment of attorney arrested for alleged interference with apprehension of two of his clients; lawsuit asserted officer and prosecutor obtained arrest warrant based on false/misleading information; prosecutor also liable for \$65,000(**110.8k now**). *Etoch v. Newton, Ark.*, No. CIV-96-105, Phillips County Cir. Ct., Ark., Sept. 14, 2000, reported in ATLA Law Rptr. (Feb. 2001).

**107.** Chief of Police was properly held liable for damages of \$200,000(**291k now**) to restaurant owners of Lebanese descent for his actions in making numerous statements in public asserting that they were terrorists, gunrunners, and drug dealers, as well as "associated with" Osama Bin Laden. These statements, made in a restaurant setting, caused some restaurant patrons to stop frequenting the plaintiffs' business. The court found that the amount awarded was not excessive on the plaintiffs' defamation claims. *Yammine v. De Vita*, No. 501649, 2007 N.Y. App. Div. Lexis 8862 (A.D. 3rd Dept.).

**108.** \$9.9(**\$16,872,819 now**) million settlement in lawsuit for false arrest/imprisonment and defamation *Valentin v. County of Los Angeles*, No. C529739 (Los Angeles Super. Ct.), reported in The National Law Journal, p. A13 (May 28, 2001).

**109. ALL TYPES OF IMMUNITY ARE WAIVED:**

GOVERNMENTAL LIABILITY FOR NEGLIGENCE (EXCERPT)  
Act 170 of 1964

**110.** 691.1407 Immunity from tort liability; intentional torts; immunity of judge, legislator, official, and guardian ad litem; immunity of governmental

(2) Except as otherwise provided in this section, and without regard to the discretionary or ministerial nature of the conduct in question, each officer and employee of a governmental agency, each volunteer acting on behalf of a governmental agency, and each member of a board, council, commission, or statutorily created task force of a governmental agency is immune from tort liability for an injury to a person or damage to property caused by the officer, employee, or member while in the course of employment or service or caused by the volunteer while acting on behalf of a governmental agency **if all of the following are met:**

(5) A judge, a legislator, and the elective or highest appointive executive official of all levels of government are immune from tort liability for injuries to persons or damages to property ***if he or she is acting within the scope of his or her judicial, legislative, or executive authority.***

(b) The governmental agency is engaged in the exercise or discharge of a governmental function.[ are kidnapping, extortion , assault and defamations gov't functions ? ]

(1) Except as otherwise provided in this act, a governmental agency is immune from tort liability **if** the governmental agency is engaged in the exercise or discharge of a governmental function.

(a) "Gross negligence" means conduct so reckless as to demonstrate a substantial lack of concern for whether an injury results.

(d) "Tactical operation" means a coordinated, planned action by a special operations, weapons, or response team of a law enforcement agency that is 1 of the following:

(ii) The entry into a building, area, watercraft, aircraft, land vehicle, or body of water to seize evidence, or to arrest an individual for a **felony**, under the authority of a warrant issued by a court.

**111. Argument:** No felonies were charged or committed, all actions were outside the scope of governmental authority thereby they all waive immunity of any sort.

The warrantless arrest and warrant served on minor son were without probable

cause and a direct result of the heinous abuse of process in tampering laws and disregarding court rules and procedures. This was done as routine habit and practice with no compunction to do anything legally.

**112. LIMITATIONS IN MICHIGAN LAW FOR DAMAGES:**

With regard to the propriety of awarding both actual and exemplary damages to a plaintiff, the court stated as follows:

Amicus curiae Michigan Trial Lawyers Association contends that ordinary damages and exemplary damages are not redundant. It maintains that a distinction may be drawn between “mental distress intrinsic to the injury itself (no matter how it occurred) and mental distress emanating from the manner in which the injury occurred.” In addition, it claims that ordinary damages for shame and mortification and exemplary damages for humiliation and indignity are compensating “distinct wrongs.” These distinctions are, at least, legally unsound. Semantic niceties aside, juries are not asked to differentiate between mental states, such as shame, mortification, humiliation and indignity. *Juries are asked to compensate for mental distress and anguish which flow naturally from the alleged misconduct* and may be described in such terms as shame, mortification,

**113.** humiliation and indignity. In Addition, if the plaintiff is being compensated for all

mental distress and anguish, it matters not whether the source of the mental distress and anguish is the injury itself or the way in which the injury occurred.

*Veselenak* at 576-577 (emphasis in original)

**114.** Subsequent to *Veselenak* , the Michigan Supreme Court held that “when compensatory damages can make the injured party whole, the Court has denied exemplary damages.”

*Hayes-Albion Corp. v Kuberski*, 421 Mich 170, 178; 364 NW2d 609

(1984). *Veselenak* and *Hayes-Albion Corp.* establish that when the award of actual damages includes compensation for mental distress damages the award of exemplary damages is improper. Defendant is asking this Court to dismiss any claim for exemplary damages because Plaintiff’s claim for actual damages under his assault and battery claim will make the injured party whole. Exemplary damages are permissible when mental distress damages are not otherwise available.... However, exemplary damages cannot be considered to punish or make an example of a party.

**115.** *Wise v Daniel*, 221 Mich 229, 233; 190 NW2d 746(1922). More importantly, exemplary damages are not available when actual damages can fully compensate Plaintiff for any damages.[ which they can not here — not even close ]

*Hayes-Albion Corp. v Kuberski*, 421 Mich at 178

**116.** In Michigan, exemplary damages are awarded to victims who claim that the defendant has acted with **malice or willful disregard for the victim’s rights**.

**117.** Exemplary damages in Michigan are meant to compensate the plaintiff because of the **defendant’s despicable conduct**, rather than to deter or punish the defendant.

**118.** With exemplary damages, the victim can be further compensated based on the nature of the injury he or she suffered. **If your injury was caused by the malicious behavior of the defendant, you can request additional damages in Michigan.**

**119.** The following are some of the reasons for exemplary damages:

- a. The harm has impacted the victim's **dignity**. worldwide / media lies / etc
- b. The victim feels a **sense of insult**.- put in chains/orange/registry/robbed
- c. The victim has **suffered humiliation**. ( and discrimination )
- d. **The harm was egregious**. kidnap/assault/extort/defame/years stolen/etc
- e. **The defendant had a chance to avoid harming the victim and ignored it.**

**120. GROSSLY NEGLIGENT INTENTIONAL CO-CONSPIRATORS**

It was and still is the official policy, routine, habit ,custom,pattern,practice of the Attorneys General office,each municipality involved, staff attorneys,'defense' attorneys, court clerks, townships(Saginaw), the Counties and County courts.

SOR Unit, (Oakland/Ingham/Lenawee/Jackson/Saginaw in plaintiff's experience filing various motions while in unlawful detention ) every judge in District, County , Appeals, Supreme courts in Michigan - every single one involved is guilty of intentional damages.

**121. MISC:**“A plea may be involuntary either because the accused does not understand the nature of the constitutional protections that he is waiving . . . or because he has such an **incomplete understanding of the charge** that his plea cannot stand as an intelligent admission of guilt.” In accepting a guilty plea, the court must inquire whether the defendant is pleading voluntarily, knowingly, and understandingly, *See also Blackledge v. Allison*, 431 U.S. 63 (1977)

**122.** Stolen gun rights, the right to self-defense is gone due to these cons.

**123. 1st, 4th and 5th Amendment violations, defamation, malicious prosecution, 1st Amendment ( right to redress violation mainly )**

“His conviction was subsequently overturned on the basis of a coerced confession in violation of the Fifth Amendment. He subsequently filed a federal civil rights lawsuit against the prosecutor and her employer for alleged violations of the Fourth and Fourteenth Amendments...

**123.** A federal appeals court overturned qualified immunity for the prosecutor, ruling that the prosecutor could not reasonably have believed that there was probable cause for the arrest. The court also ordered further proceedings on claims against the county based on its alleged withholding of exculpatory (Brady) materials, and on the Plaintiff's malicious prosecution, First Amendment retaliation, and defamation claims.” *Harris v. Bornhorst*, No. 06-3729, 2008 U.S. App. Lexis 724 (6th Cir.).



**124.** U.S. Supreme Court Holds that courts should dismiss federal civil rights suits seeking damages when a judgment in favor of the plaintiff necessarily implies the invalidity of the plaintiff's criminal sentence, but that sentence has not already been overturned. *Heck v. Humphrey*, 114 S.Ct. 2364 (1994).

**125. 15th Claim for Relief: MALICIOUS PROSECUTION -False Accusations:**  
**Plaintiff hereby incorporates by reference all above-stated paragraphs.**

...prosecution in motion by applying for warrants and an indictment despite *the lack of probable cause; whether his false statements, together with his material omissions* were material to her prosecution; and whether any *false statements, evidence, and omissions* were laying the groundwork for an indictment," not preparatory activity for a grand-jury hearing that would provide absolute immunity. *King v. Harwood*, #16-5949, 852 F.3d 568, (6th Cir. 2017).

**126. DUE PROCESS of LAW:**

The Fifth Amendment of the U.S. Constitution "No person shall be held to answer for a capital, or otherwise infamous crime, unless on a presentment or indictment of a grand jury, except in cases arising in the land or naval forces, or in the militia, when in actual service in time of war or public danger; nor shall any person be subject for the same offense to be twice put in jeopardy of life or limb; nor shall be compelled in any criminal case to be a witness against himself, nor be deprived of life, liberty, or property, **without due process of law**; nor shall private property be taken for public use, without just compensation."

**127. *People v Thousand***, 465 Mich. 149, 631 N.W.2d 694 (2001)

December 8, 1998, Deputy William Liczbinski made contact with Chris Thousand  
The ruling was a distraction from the law, jury instructions and the required

elements of child sexually abusive activity , a commercial activity, commercial gain statute where an actual child is mandated, and knowledge of the status of THE child.

**128.** It destroyed due process to rake in millions over decades of fraudulent prosecutions .

**129.** The Michigan Legislature re-arranged the wording of that mcl 750.145c2 after plaintiff contacted every legislature available on email so the prosecutors could no longer easily alter it by deleting 95% of the wording in the felony informations .

**130. Malicious Prosecution violating both the 4th and 5th amendments:**

...The trial court did not err in dismissing these claims, which were barred by his conviction until and unless it was reversed, expunged, or invalidated. *[The convictions are self-invalidating]*

*Curry v. Yachera*, #15-1692, 835 F.3d 373 (3rd Cir. 2016).

**131.** ...investigator and former prosecutor on claims that they denied the plaintiff a fair trial by **intentionally manipulating data** displayed on spreadsheet summary charts presented to a grand jury to **create a false impression** that he had billed Medicaid for dental services never performed....The **knowing creation of false or misleading evidence** by a government employee acting in an investigative capacity has been clearly established as constituting an unconstitutional violation of rights. The jury awarded the plaintiff

**132.** **\$6,724,936[** in compensatory damages and **\$1 million** in punitive damages, ...reduction to compensatory damages of \$4,624,936[5.9million] and punitive damages of \$100,000[128k], .... *Morse v. Fusto*, #13-4074, 2015 U.S. App. Lexis 16154 (2nd Cir.).

**133.** Exemplary damages due to the despicable behavior of the defendants and not punitive damages is what is being sought.

**134.** With regard to the propriety of awarding both actual and exemplary damages to a plaintiff, the court stated as follows:

Amicus curiae Michigan Trial Lawyers Association contends that ordinary damages and exemplary damages are not redundant.... Semantic niceties aside, juries are not asked to differentiate between mental states, such as shame, mortification, humiliation and indignity. Juries are asked to compensate for mental distress and anguish which flow naturally from the alleged misconduct and may be described in such terms as shame, mortification, humiliation and indignity. In Addition, if the plaintiff is being compensated for all mental distress and anguish, it matters not whether the source of the mental distress and anguish is the injury itself or the way in which the injury occurred.

Veselenak at 576-577 (emphasis in original)

**135.** Subsequent to Veselenak, the Michigan Supreme Court held that “when compensatory damages can make the injured party whole, the Court has denied exemplary damages.”

*Hayes-Albion Corp. v Kuberski*, 421 Mich 170, 178; 364 NW2d 609

(1984). *Veselenak* and *Hayes-Albion Corp.*

**136.** establish that when the award of actual damages includes compensation for mental distress damages the award of exemplary damages is improper.

Defendant is asking this Court to dismiss any claim for exemplary damages

because Plaintiff's claim for actual damages under his assault and battery claim will make the injured party whole. Exemplary damages are permissible when mental distress damages are not otherwise available....

137. .exemplary damages cannot be considered to punish or make an example of a party *Wise v Daniel*, 221 Mich 229, 233; 190 NW2d 746(1922).

### **CASELAW**

#### **138. VOID JUDGMENTS AND WORTHLESS PROCEEDINGS**

A "void judgment" as we all know, grounds no rights, forms no defense to actions taken there under, and is vulnerable to any manner of collateral attack (thus here, by ). No statute of limitations or repose runs on its holdings, the matters thought to be settled thereby are not res judicata, and years later, when the memories may have grown dim and rights long been regarded as vested, any disgruntled litigant may reopen the old wound and once more probe its depths. **And it is then as though trial and adjudication had never been.** 10/13/58 *FRITTS v. KRUGH*. SUPREME COURT OF MICHIGAN, 92 N.W.2d 604, 354 Mich. 97

#### **VARIOUS DAMAGES:**

139. Officers could not be liable for conspiracy to violate arrestee's rights when no evidence showed that they **"formed an agreement to purposely violate" his rights.** *Parker v. Grand Hyatt Hotel*, No. CIV.A.98-2453 (RMU), 124 F. Supp. 2d 79 (D.D.C. 2000).

140. While the failure to train on the obligation to disclose potentially exculpatory evidence can be the basis for government liability for violation of civil rights, the plaintiff must show that this reflected a **deliberate indifference** to the rights of the accused, which normally requires a showing of a **pattern of similar**

**constitutional violations** by untrained employees. *Connick v. Thompson*, #09-571, 2011 U.S. Lexis 2594.

**142. (The defendants appeared to train on how to violate rights )**

**143.** Because he offered no evidence and pled no facts that would show that the officers acted pursuant to an **official city policy or custom**, the city was entitled to summary judgment. The court also mentioned that with a plaintiff acting as his own attorney, as this one was, it ordinarily *might be inclined to construe* the complaint as also asserting claims against individual police officers. In this case, however, the plaintiff was not a **"typical pro se litigant,"**.... He was therefore not given the **"same degree of leniency."** *Fenner v. City of New York*, #10-0158, 2010 U.S. App. Lexis 19217 (Unpub. 2nd Cir.).

Plaintiff has no access to a Law Library

**144.** A decision by a lower court ruling that the officer involved in the incident did not act in **bad faith** barred any claim against the officer as an individual. The

father failed to **establish**, according to the appeals court, that there was any **pattern of constitutional violations by the county [ State / counties / courts / AG Office / prosecutors / police / cities / townships, MDOC etc ]**, such as inadequate training. His challenge to the state university's disciplinary policies, seeking injunctive relief, was properly denied, as he failed to show any credible threat that **he would face future injury from the continued application of the policy**. *Plinton v. County of Summit*, No. 7-3985, 2008 U.S. App. Lexis 18723 (6th Cir.).

**145.** '...show that the alleged *Plinton v. County of Summit*, No. 7-3985, 2008 U.S. App. Lexis 18723 (6th Cir.).deprivation was caused by the policy.' *Mann v. Helmig*, No. 07-5549, 2008 U.S. App. Lexis 15213 (Unpub. 6th Cir.).

**146.** " In the absence of any showing that a police department had a custom of indifference to or acceptance of the violation of individuals' rights, it could not be held liable for the alleged false arrest ... acting under color of state law in transporting the arrestee to the police station,...." *Durante v. Fairlane Town Center*, No. 05-1113, 2006 U.S. App. Lexis 26128 (6th Cir.).

**147.** Police officer arrested under a [WARRANTLESS] **warrant** on charges of rape, attempted murder, and second degree kidnapping failed to show that the city had any **official custom or policy which led to his allegedly false arrest**, so there could be no **municipal liability**. Further, the discrepancies in the warrant application that the plaintiff complained of were not **essential to the finding of probable** cause and issuance of the warrant, so the sergeant who obtained the warrant was also entitled to summary judgment. *Daniel v. Compass*, No. 05-31157, 2006 U.S. App. Lexis 30605 (5th Cir.).

**148.** A jury in U.S. District Court has awarded a Harper Woods man **\$3.5 million** nearly six years after he was mistakenly arrested by **Detroit police** in connection with a drive-by shooting.

**149.** Seales spent **two weeks** in the Wayne County Jail. The jury awarded Seales

**150.** \$750,000 [**\$923,535.41 today**] because his **Fourth** Amendment rights were violated;

**151.** \$500,000 [**\$615,690.27 today**] for the **wrongful imprisonment**;  
\$250,000 for the false arrest;

**152.** \$500,000 [**\$615,690.27 today**] for **gross negligence**; and

**153.** \$1.5 million [**\$1,847,070.82 today**] in **punitive** damages. *Seales v. City of Detroit*, No. 19-1555 (6th Cir. 2020), Case No. 12-cv-11679, 01-03-2017

**154.** Plaintiff suffered 18 days jail, 3.5 yrs MDOC, 1.5yrs Tether , 25 years  
Registry order or life in prison if not compliant to the worthless orders .

**155.** **\$615,690.27 today , \$43,977 / day x 1288 = \$56,643,480**

Add 15k for useless retained lawyers, plus appointed , victims fees \$120 x 2

**156.** 18 U.S.C. § 241 (2018) If two or more persons conspire to injure, oppress, threaten, or intimidate any person in any State,... They shall be fined under this title or imprisoned not more than ten years, or both; ... or if such acts include kidnapping or an attempt to kidnap,... they **shall be fined** under this title **or imprisoned** for any term of **years or for life, or both**, or may be sentenced to death.

**For 25 years the Executive & Judicial branches have maliciously and deliberately as standard operating procedure conspired to violate this Federal law as they kidnapped , injured, oppressed, threatened and intimidated thousands .**

**157.** Mich Law : Sec. 750.157a. Any person who conspires together with 1 or more persons to commit an offense prohibited by law, or to commit a legal act in an illegal manner is guilty of the crime of conspiracy punishable as provided herein: (a) Except as provided in paragraphs (b), (c) and (d) if commission of the offense prohibited by law is punishable by imprisonment for 1 year or more, the person convicted under this section shall be punished by a penalty equal to that which could be imposed if he had been convicted of committing the crime he conspired to commit and in the discretion of the court an additional penalty of a fine of \$10,000.00 may be imposed.

**158.** David Moran, whose organization - The U of M Innocence Project, is currently reviewing 50 to 60 cases of possible wrongful convictions, said there are more conviction integrity units investigating possible wrongful convictions as a result of police and prosecutorial misconduct. "The Detroit Police Department and **the criminal justice system were out of control for so many years,"** he said.

**159.** Plaintiff has suffered under the " Conviction Integrity Unit" at the AG Office since they cover up their own crimes and deny all entitled relief and justice - they are despicable. They denied his application , as did the Governor/s with pardons who are also culpable.



**160.** It held that if the facts were as the plaintiff alleged, the officers violated his clearly established rights. *Courtright v. City of Battle Creek*, #15-1722, 2016 U.S. App. Lexis 18502, 2016 Fed. App. 256P (6th Cir.).

From the Governor on down to local police this plaintiff has demonstrated that numerous clearly established rights were and are being violated.

**161. Unlawful Sex Offender forced Registration or Life in Prison if not compliant:**

\$1,000,000 / month is reasonable and the damages have added up since 2011 to over \$144,000,000 and are increasing daily. Plus huge front page headlines in Cass City Chronicle in 2007 about the illegal sting op must be worth \$1,000,000 minimum, plus all the local media they contacted with the distressing defamation. Add inflation to this too.

**25 years ordered by judge Ed Sosnick and zero relief from subsequent judges would total 300 months equaling \$300,000,000 in damage awards.**

**162. PERJURY and FABRICATED CASE/S .**

Federal appeals court upholds criminal perjury conviction of plaintiff in federal civil rights lawsuit for lying under oath; "swearing to tell the truth is a solemn oath, the breach of which **should have serious consequences**, especially where the perjurer tells his lie in an attempt to obtain money damages." *United States v. Cornielle*, #98-1254, 171 F.3d 748 (2nd Cir. 1999).

Witness immunity does not protect officers on alleged **extra judicial conspiracy to present perjured testimony**. *Taylor v. Hansen*, 731 F.Supp. 72 (N.D.NY 1990).

Over \$2 million **[\$5,314,014.08 today]** in damages awarded for officers' procuring of **false testimony** in murder trial Venegas v. Wagner, 831 F.2d 1514 (9th Cir. 1987).

The number of perjuring officials is astounding in this case/s – especially after they have been advised of the fraud for over a decade and they cover it up while inexplicably denying all entitled relief by claiming improper procedure.

163. The very INSTANT this just judge declares the convictions INVALID this case is ripe for adjudication and any statute of limitations begins to toll. The convictions have been invalid *ab initio* . Hundreds if not thousands of actually innocent victims of the Judicial and Executive branches can finally be freed from the oppression.

164. If the dollar is severely weakened by current political maneuvers then payment in gold at the current rate of approx \$2,000 / oz of 300,000,000 ounces is equivalent and demanded for damages payment in one immediately delivery , not five payments over an indefinite time period.

Signed Timothy Ronald Brown  
Timothy Ronald Brown

Dated: July 4th, 2023

## **EXHIBIT A : ' FELONY ' INFORMATION 2007**

Note: mcl 750.145d1a has no penalty as it is a listing of in-person crimes that now carry an added liability if the internet / computer was utilized to introduce the offender/s to the child or the minor.

The deceptive use of the wording by the AG: "... where the victim or intended victim was believed by the defendant to be a minor..." is despicable as it is clear from the full laws and jury instructions that the offender must believe online that the child is a child while preparing for commercial activity and gain then have knowledge that the child or the minor is such after the in-person commercial activity and gain encounter/s . See mcl 750.145d2c / d2f : " If the underlying crime..." wording that is completely missing from the 'felony' information, just the penalty is charged.

### **CONCLUSION**

**The criminals are those PERSONS conspiring and prosecuting the fraud and condemning hundreds or thousands of guiltless mostly white males for decades for unjust enrichments of those PERSONS.**

L11.03/29/07.09:51:06.57137

07

07-213521-FH

STATE OF MICHIGAN  
52-1 JUDICIAL DISTRICT  
6TH JUDICIAL CIRCUITINFORMATION  
FELONYDISTRICT  
CIRCUIT  
CTN: 9  
MSPS:JUDGE EDWARD BOENICK  
PEOPLE V BROWN, TIMOTHY

District Court ORF: M1830175J

Circuit Court ORF: M1830015J

AG ORF: M1820025A

THE PEOPLE OF THE STATE OF MICHIGAN

RECEIVED FOR FILING  
OAKLAND COUNTY CLERKVictim or complainant:  
STATE OF MICHIGAN

v

TIMOTHY RONALD BROWN  
6279 CHURCH STREET  
CASS CITY, MI 48726

07 MAR 28 P1 07

Co-defendant(s)

BY DEAN COUNTY CLERK

Complainant Witness  
S/A ROBERT PEPLINSKIDate: On or about  
2/26/2007-2/27/2007City/Twp/Village  
Novi CityCounty in Michigan  
OAKLAND

Defendant SID

Defendant DOB  
09/20/1956

Charge(s)

Count 1: Child Sexually Abusive Activity  
Count 2: Computers-Internet-Communicating With Another to Commit Crime  
Counts 3-4: Disseminating Sexually Explicit Matter To A Minor

Maximum Penalty

20 Years and/or \$100,000.00  
20 Years and/or \$20,000.00;  
4 Years and/or \$5,000.00;

STATE OF MICHIGAN, COUNTY OF OAKLAND

IN THE NAME OF THE PEOPLE OF THE STATE OF MICHIGAN: Michael A. Cox, Attorney General for the State of Michigan, appears before the court and informs the court that on the date and at Novi, Michigan, the defendant:

## COUNT 1: CHILD SEXUALLY ABUSIVE ACTIVITY

On or about February 26 through February 27, 2007, in the City of Novi, County of Oakland and elsewhere, the Defendant, TIMOTHY RONALD BROWN, did attempt, prepare, or conspire to arrange for, produce, make or finance any child sexually abusive activity; contrary to MCL 750.145c(2). [750.145C2]  
FELONY: 20 Years and/or \$100,000.00

## COUNT 2: COMPUTERS - INTERNET - COMMUNICATING WITH ANOTHER TO COMMIT CRIME - MAXIMUM IMPRISONMENT OF 15 YEARS OR MORE OR LIFE

On or about February 26 through February 27, 2007, in the City of Novi, County of Oakland and elsewhere, the Defendant, TIMOTHY RONALD BROWN did use the Internet to communicate with a 15 year-old undercover persona for the purpose of committing MCL 750.145c(2) Child Sexually Abusive Activity, where the victim or intended victim was believed by the defendant to be a minor; contrary to MCL 750.145d(2)(f). [750.145D2F]  
FELONY: 20 Years and/or \$20,000.00; reimburse government for expenses incurred in relation to violation in manner indicated by MCL 769.1f (see MCL 750.145d(8))

## COUNT 3: COMPUTERS - INTERNET - COMMUNICATING WITH ANOTHER TO COMMIT CRIME - MAXIMUM IMPRISONMENT OF 2 YEARS OR MORE BUT LESS THAN 4 YEARS

On or about February 26, 2007, in the City of Novi, County of Oakland and elsewhere, the Defendant, TIMOTHY RONALD BROWN did use the Internet to communicate with a 15 year-old undercover persona for the purpose of committing MCL 722.675 Disseminating Sexually Explicit Matter to Minors, where the victim or intended victim was believed by the defendant to be a minor; contrary to MCL 750.145d(2)(c). [750.145D2C]  
FELONY: 4 Years and/or \$5,000.00; reimburse government for expenses incurred in relation to violation in manner indicated by MCL 769.1f (see MCL 750.145d(8))

## COUNT 4: COMPUTERS - INTERNET - COMMUNICATING WITH ANOTHER TO COMMIT CRIME - MAXIMUM IMPRISONMENT OF 2 YEARS OR MORE BUT LESS THAN 4 YEARS

On or about February 27, 2007, in the City of Novi, County of Oakland and elsewhere, the Defendant, TIMOTHY

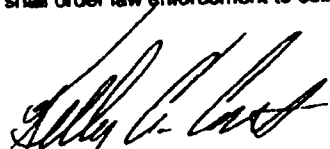
LII.83/29/87.89:51:86.57138

RONALD BROWN did use the Internet to communicate with a 15 year-old undercover persona for the purpose of committing MCL 722.675 Disseminating Sexually Explicit Matter to Minors, where the victim or intended victim was believed by the defendant to be a minor, contrary to MCL 750.145d(2)(c). [750.145D2C]  
FELONY: 4 Years and/or \$5,000.00; reimburse government for expenses incurred in relation to violation in manner indicated by MCL 769.1f (see MCL 750.145d(8))

Upon conviction of a felony or an attempted felony court shall order law enforcement to collect DNA identification profiling samples.

and against the peace and dignity of the State of Michigan.

3/24/07  
Date

  
Kelly Carter (P36129)  
Assistant Attorney General  
Criminal Division  
Cadillac Place - 10th Floor 3030 W. Grand Boulevard  
Detroit, MI 48202  
313-456-0160

Appendix A ps 2

## **EXHIBIT B - MCL 750.145C2 Jury Instructions**

### **M Crim JI 20.38 Child Sexually Abusive Activity - Causing or Allowing**

(1)The defendant is charged with the crime of causing or allowing a child to engage in sexually abusive activity **in order to create or produce child sexually abusive material**. To prove this charge, the prosecutor must prove each of the following elements beyond a reasonable doubt:

(2)**First**, that the defendant [persuaded / induced / enticed / coerced / caused / knowingly allowed] **a child under 18 years** old to engage in child sexually abusive activity.

(3)Child sexually abusive activity includes:

*[Choose any of the following that apply.]<sup>1</sup>*

- (a)sexual intercourse, which is genital-genital, oral-genital, anal-genital, or oral-anal penetration, whether the intercourse is real or simulated, and whether it is between persons of the same or opposite sex, or between a person and an animal, or with an artificial genital, [and / or]
- (b) erotic fondling, which is the touching of a person's clothed or unclothed genitals, pubic area, buttocks, female breasts, or the developing or undeveloped breast area of a child for the purpose of sexual gratification or stimulation of any person involved, but does not include other types of touching, even if affectionate, [and / or]
- (c) sadomasochistic abuse, which is restraining or binding a person with rope, chains, or any other kind of binding material; whipping; or torturing for purposes of sexual gratification or stimulation, [and / or]
- (d) masturbation, which is stimulation by hand or by an object of a person's clothed or unclothed genitals, pubic area, buttocks, female breasts, or the developing or undeveloped breast area of a child for sexual gratification or stimulation, [and / or]
- (e) passive sexual involvement, which is watching, drawing attention to, or exposing someone to persons who are performing real or simulated sexual intercourse, erotic fondling, sadomasochistic abuse, masturbation, sexual

excitement, or erotic nudity for the purpose of sexual gratification or stimulation of any person involved, [and / or]

(f) sexual excitement, which is the display of someone's genitals in a state of stimulation or arousal, [and / or]

(g)erotic nudity, which is showing the genital, pubic, or rectal area of someone in a way that tends to produce lewd or lustful emotions.

**(4)Second, that the defendant caused or allowed the person to engage in child sexually abusive activity for the purpose of producing or making child sexually abusive material.** Child sexually abusive materials are pictures, movies, or illustrations, made or produced by any means,<sup>2</sup> of [a person under 18 years old / the representation of a person under 18 years old] engaged in sexual intercourse, erotic fondling, sadomasochistic abuse, masturbation, passive sexual involvement, sexual excitement, and/or erotic nudity.<sup>2</sup>

**(5)Third, that the defendant knew or reasonably should have known that the person was less than 18 years old, or failed to take reasonable precautions to determine whether the person was less than 18 years old.<sup>3</sup>**

*Use Note*

<sup>1</sup> The statute prohibits both real and simulated sexual acts. Where the acts are simulated, or simulated acts are included, the instructions should be modified accordingly.

<sup>2</sup> The statute, MCL 750.145c(1)(o), provides a list of forms that child sexually abusive materials can take:

. . . any depiction, whether made or produced by electronic, mechanical, or other means, including a developed or undeveloped photograph, picture, film, slide, video, electronic visual image, computer diskette, computer or computer-generated image, or picture, or sound recording which is of a child or appears to include a child engaging in a listed sexual act; a book, magazine, computer, computer storage device, or other visual or print or printable medium containing such a photograph, picture, film, slide, video, electronic visual image, computer, or computer-generated image, or picture, or sound recording; or any reproduction, copy, or print of such a photograph, picture, film, slide, video, electronic visual image, book, magazine, computer, or computer-generated image, or picture, other visual or print or printable medium, or sound recording.

The Committee believes that the phrase, "pictures, movies, or illustrations, made or produced by any means," will generally suffice to describe such materials. However, the court may prefer to select a more specific term or phrase from the statutory list.

<sup>3</sup> The statute lists several alternatives for this element of the offense in MCL 750.145c(2), (3), and (4):

. . . if that person **knows**, has reason to know, or should reasonably be expected to know that **the child is a child** or that the child sexually abusive material includes a child or that the depiction constituting the child sexually abusive material appears to include a child, or that person has not taken reasonable precautions to determine the age of **the child**.

Generally, the language of the instruction will suffice. However, in appropriate cases, the court may select some or all of the other statutory language for this element.

#### *History*

M Crim JI 20.38 was adopted in June 2016.

#### *Reference Guide*

##### *Statutes*

MCL 750.145c.

[– FOR THE COMPUTER STATUTES TO BE VALID THE ALLEGED OFFENDER MUST KNOW OR BELIEVE WHILE ONLINE THAT “ THE CHILD IS A CHILD. “ as they meet in person after computer introductions

=====

Now , using a computer to violate the above with THE CHILD or THE MINOR

**MCL750.145d2(c) If the underlying crime is a misdemeanor or a felony with a maximum term of imprisonment of 2 years or more but less than 4 years, the person is guilty of a felony punishable by imprisonment for not more than 4 years or a fine of not more than \$5,000.00, or both.**

[ WHAT UNDERLYING CRIME/S ? ]

**EXHIBIT C : MCL 750.145d2c and d2f Jury Instructions**



## **M Crim JI 35.10 Use of a Computer to Commit Specified Crimes**

(1) The defendant is charged with using a computer to [commit / attempt to commit / conspire to commit / solicit another to commit] the offense of [state underlying offense]<sup>1</sup> [against a minor].<sup>2</sup> To prove this charge, the prosecutor must prove each of the following elements beyond a reasonable doubt:

(2) First, that the defendant used [the Internet / a computer / a computer program / a computer network / a computer system]<sup>3</sup> to communicate with any person.

(3) Second, that the communication was done for the purpose of [committing / attempting to commit / conspiring to commit / soliciting another to commit] the offense of [state underlying offense].

*[Use the following paragraph only if the underlying offense appears in Part A of the underlying offense list in Use Note 1.]*

(4) Third, that the [state name of victim or intended victim of the underlying offense, if available] was a minor or the defendant believed [he / she] was a minor.

(5) The elements of [state underlying offense] are [state elements of underlying offense]. It does not matter whether the defendant or anyone else has been convicted of [state underlying offense].

### **Use Note**

<sup>1</sup> The statute lists the following underlying offenses:

#### **Part A**

MCL 750.145-accosting a child for immoral purposes

**MCL 750.145c-child sexually abusive activity**

MCL 750.349-kidnapping

MCL 750.350-enticing away child under 14

MCL 750.520b-criminal sexual conduct in the first degree

MCL 750.520c-criminal sexual conduct in the second degree

MCL 750.520d-criminal sexual conduct in the third degree

MCL 750.520e-criminal sexual conduct in the fourth degree

MCL 750.520g-assault with intent to commit criminal sexual conduct

**MCL 722.675(5)-disseminating sexually explicit material to a minor**

MCL 750.327a-sale of explosives to minors

MCL 750.157c-inducing minor to commit felony

*Part B*

MCL 750.411h-stalking

MCL 750.411i-aggravated stalking

MCL 750.327-causing death with explosives in vehicle

MCL 750.328-causing death with explosives placed to destroy building

MCL 750.411a(2)-false report of explosives crime or threatening to commit such a crime

<sup>2</sup> Underlying offenses in Part B of *Use Note 1* need not involve a minor. **Use the bracketed phrase only where the underlying offense is found in Part A of Use Note 1.**

<sup>3</sup> "Computer" and the related terms "computer network," "computer program," and "computer system" are defined in subsection (9) of the statute. MCL 750.145d(9).

*History*

M Crim JI 20.37 (formerly CJI2d 20.37) was adopted by the committee in October, 2004, to set forth the elements of MCL 750.145d as last amended by 2000 PA 185, effective September 18, 2000.

[ Combining MCL 722.675 with MCL 750.145d2c becomes 1999 Public Act 33 which Governor Engler and Governor Granholm were specifically sued in Court over and lost. It's all about commercial gain through in person sales of adult content materials with a minor. It cannot be violated online . 1978 PA 78 had no Internet in existence and was always an in-person only crime ]

**Constitutionality: Act 33 of 1999 violates the First Amendment and the Dormant Commerce Clause of the US Constitution. Defendants are permanently restrained and enjoined from enforcing any provisions of 1999 PA 33. Cyberspace Communications, Inc v Engler, 142 F Supp 2d 827 (ED Mich, 2001)**

=====

**MCL750.145d2(f) If the underlying crime is a felony punishable by a maximum term of imprisonment of 15 years or more or for life, the person is guilty of a felony punishable by imprisonment for not more than 20 years or a fine of not more than \$20,000.00, or both. [ what underlying crime?]**

## **EXHIBIT D : MCL 722.675**

### **722.675 Disseminating sexually explicit matter to minor; felony; penalty.**

#### **Sec. 5.**

(1) A person is guilty of disseminating sexually explicit matter to a minor if that person does either of the following:

(a) Knowingly disseminates to a minor sexually explicit visual or verbal material that is harmful to minors.

(b) Knowingly exhibits to a minor a sexually explicit performance that is harmful to minors.

(2) A person knowingly disseminates sexually explicit matter to a minor if the person knows both the nature of the matter and the status of the minor to whom the matter is disseminated.

(3) A person knows the nature of matter if the person either is aware of its character and content or recklessly disregards circumstances suggesting its character and content.

(4) A person knows the status of a minor if the person either is aware that the person to whom the dissemination is made is under 18 years of age or recklessly disregards a substantial risk that the person to whom the dissemination is made is under 18 years of age.

(5) Disseminating sexually explicit matter to a minor is a felony punishable by imprisonment for not more than 2 years or a fine of not more than \$10,000.00, or both. In imposing the fine, the court shall consider the scope of the defendant's commercial activity in disseminating sexually explicit matter to minors.

**History:** 1978, Act 33, Eff. June 1, 1978 ;— Am. 1999, Act 33, Eff. Aug. 1, 1999 ;— Am. 2003, Act 192, Eff. Jan. 1, 2004

**Constitutionality:** Act 33 of 1999 violates the First Amendment and the Dormant Commerce Clause of the US Constitution. **Defendants are permanently restrained and enjoined from enforcing any provisions of 1999 PA 33.** Cyberspace Communications, Inc v Engler, 142 F Supp 2d 827 (ED Mich, 2001).

**A 25 YEAR CRIME SPREE BY THE JUDICIAL AND EXECUTIVE BRANCHES  
IS PRECISELY WHAT TOOK PLACE AGAINST THOUSANDS**

July 4th , 2023

John Does %  
Tim Brown  
4310 Tall Timber trail  
Prescott, Michigan  
Speakagainstthecharges @gmail.com  
586.205.0377

Dear Clerk,

Please find enclosed the Complaint along with \$402 money order.

The Waiver of Service for the Summons with your stamp on it is next to be mailed to as many of the Defendants as I can find addresses for.

This qualifies as a Class Action . *Heck v Humphrey* does not apply as demonstrated in the Brief in Support. I have been unable to locate an attorney who will return my inquiry in the positive. I have contacted a large number. Court appointed attorney James Daniel Shanahan of Troy , Michigan has a phone number still online but is not answering. Mr. Shanahan may be retired but he was the only attorney who argued that the prosecution created crimes by editing laws but since the Defendants only block redress of grievances no justice was available.

As a Class Action a competent attorney would be assigned which would be just. \$402 is 5% of my Federal Reserve notes but a family member will help with attorney costs. My Relief request includes reimbursement for attorney costs and fees.

Thank you , Tim Brown

JS 44 (Rev. 10/20)

**CIVIL COVER SHEET**County in which action arose: Tuscola / Oakland

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

**I. (a) PLAINTIFFS** John Doe/15 40  
TIMOTHY R. BROWN

**DEFENDANTS**

DANA Nessel - official capacity  
Kelly Carter, Mike Cox, Ed Sosnick, R. Cunningham, A. Leticia, D. Nessel, Task Force, Oakland County, J. Alexander, see attached for many more  
Gov Whitmer - official capacity  
County of Residence of First Listed Defendant Ingham

(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.

Attorneys (If Known)

(b) County of Residence of First Listed Plaintiff OGE MAW  
(EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorneys (Firm Name, Address, and Telephone Number)  
Pro se

**II. BASIS OF JURISDICTION** (Place an "X" in One Box Only)

- ☐ 1 U.S. Government Plaintiff  
☐ 2 U.S. Government Defendant  
☐ 3 Federal Question (U.S. Government Not a Party)  
☐ 4 Diversity (Indicate Citizenship of Parties in Item III)

**III. CITIZENSHIP OF PRINCIPAL PARTIES** (Place an "X" in One Box for Plaintiff and One Box for Defendant)

- (For Diversity Cases Only)
- |   |                            |                            |   |                            |                            |
|---|----------------------------|----------------------------|---|----------------------------|----------------------------|
|   | PTF                        | DEF                        |   | PTF                        | DEF                        |
| Citizen of This State                   | <input type="checkbox"/> 1 | <input type="checkbox"/> 1 | Incorporated or Principal Place of Business In This State     | <input type="checkbox"/> 4 | <input type="checkbox"/> 4 |
| Citizen of Another State                | <input type="checkbox"/> 2 | <input type="checkbox"/> 2 | Incorporated and Principal Place of Business In Another State | <input type="checkbox"/> 5 | <input type="checkbox"/> 5 |
| Citizen or Subject of a Foreign Country | <input type="checkbox"/> 3 | <input type="checkbox"/> 3 | Foreign Nation  | <input type="checkbox"/> 6 | <input type="checkbox"/> 6 |

**IV. NATURE OF SUIT** (Place an "X" in One Box Only)Click here for: [Nature of Suit Code Descriptions.](#)

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES	
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excludes Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise	<b>PERSONAL INJURY</b> <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury <input type="checkbox"/> 362 Personal Injury - Medical Malpractice	<b>PERSONAL INJURY</b> <input type="checkbox"/> 365 Personal Injury - Product Liability <input type="checkbox"/> 367 Health Care/Pharmaceutical Personal Injury Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability <b>PERSONAL PROPERTY</b> <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 690 Other <b>LABOR</b> <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Management Relations <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 751 Family and Medical Leave Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Employee Retirement Income Security Act <b>IMMIGRATION</b> <input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 465 Other Immigration Actions	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 <b>PROPERTY RIGHTS</b> <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 835 Patent - Abbreviated New Drug Application <input type="checkbox"/> 840 Trademark <input type="checkbox"/> 880 Defend Trade Secrets Act of 2016 <b>SOCIAL SECURITY</b> <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g)) <b>FEDERAL TAX SUITS</b> <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS—Third Party 26 USC 7609	<input type="checkbox"/> 375 False Claims Act <input type="checkbox"/> 376 Qui Tam (31 USC 3729(a)) <input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit (15 USC 1681 or 1692) <input type="checkbox"/> 485 Telephone Consumer Protection Act <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 896 Arbitration <input type="checkbox"/> 899 Administrative Procedure Act/Review or Appeal of Agency Decision <input type="checkbox"/> 950 Constitutionality of State Statutes
<b>REAL PROPERTY</b> <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	<b>CIVIL RIGHTS</b> <input type="checkbox"/> 440 Other Civil Rights <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 445 Amer. w/Disabilities - Employment <input type="checkbox"/> 446 Amer. w/Disabilities - Other <input type="checkbox"/> 448 Education	<b>PRISONER PETITIONS</b> <b>Habeas Corpus:</b> <input type="checkbox"/> 463 Alien Detainee <input type="checkbox"/> 510 Motions to Vacate Sentence <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty <b>Other:</b> <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition <input type="checkbox"/> 560 Civil Detainee - Conditions of Confinement			

**V. ORIGIN** (Place an "X" in One Box Only)

- ☐ 1 Original Proceeding  
☐ 2 Removed from State Court  
☐ 3 Remanded from Appellate Court  
☐ 4 Reinstated or Recopened  
☐ 5 Transferred from Another District (specify)  
☐ 6 Multidistrict Litigation - Transfer  
☐ 8 Multidistrict Litigation - Direct File

**VI. CAUSE OF ACTION**

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):

1983 1985 1981 United States Code subsection 42

Brief description of cause:

Fraud / Fraud on / Fraud BY the court, abuse of process, malicious prosecution, unlawful detainment, void judgment, IED, and many more

**VII. REQUESTED IN COMPLAINT:**

☐ CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.Cv.P.

DEMAND \$

\$ 600,000,000

CHECK YES only if demanded in complaint:

JURY DEMAND: ☐ Yes ☒ No**VIII. RELATED CASE(S) IF ANY**

(See instructions):

JUDGE Thomas LudingtonDOCKET NUMBER 12-10535

DATE

July 4th, 2023

SIGNATURE OF ATTORNEY OF RECORD

Pro se

FOR OFFICE USE ONLY

RECEIPT #

AMOUNT

APPLYING IFP

JUDGE

MAG. JUDGE

## PURSUANT TO LOCAL RULE 83.11

1. Is this a case that has been previously dismissed?

☐ Yes

☒ No

If yes, give the following information:

Court: \_\_\_\_\_

Case No.: \_\_\_\_\_

Judge: \_\_\_\_\_

2. Other than stated above, are there any pending or previously discontinued or dismissed companion cases in this or any other court, including state court? (Companion cases are matters in which it appears substantially similar evidence will be offered or the same or related parties are present and the cases arise out of the same transaction or occurrence.)

☒ Yes

☐ No

If yes, give the following information:

Court: Eastern District Michigan

Case No.: 12-10535

Judge: Thomas Ludington

Notes : . judge decided to conspire with the felons in . office and use Heck

---

From Timothy R Brown

4310 Tall Timber Trail

Prescott

Michigan

[48756]

U.S. MARSHALS

USPS TRACKING® #



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R2304N118553-06

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JUL 10, 2023

CLERK'S OFFICE  
**US Dist Ct** Theodore Levin Courthouse

231 W. LaFayette St., Room 599

Detroit

Michigan

48226